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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/041,081	01/07/2002	Jonathan D. Levine	D/A1202;690-010417-US (PA)	2426
7590	12/04/2009	Clarence A. Green Perman & Green, LLP, 425 Post Road Fairfield, CT 06430	EXAMINER PAULA, CESAR B	
			ART UNIT 2178	PAPER NUMBER PAPER
			MAIL DATE 12/04/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JONATHAN D. LEVINE

Application No. 10/041,081
Technology Center 2100

Mailed: December 4, 2009

Before DELORES LOWE, *Review Team Paralegal*
LOWE, *Review Team Paralegal*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on November 30, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

EXAMINER'S CONSIDERATION OF APPEAL BRIEF

Appeal Brief was filed in this application on March 11, 2009. There is no evidence on the record indicating that the Examiner has considered the Appeal Brief.

CONCLUSION

Accordingly, it is ORDERED that the application be returned to the Examiner:

- 1) consider the Appeal Brief filed March 11, 2009, as indicated above;
- and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

/dal/

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